

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7, converted from
)	Chapter 11
)	
EBRO REAL ESTATE HOLDINGS, LLC)	Judge Eugene Wedoff
)	
Debtor and Debtor in Possession.)	Case No. 09-10104
)	
)	Hearing: December 15, 2009 at 9:30
)	a.m.

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE that I will appear on December 15, 2009 at 9:30 a.m., before the Honorable Eugene R. Wedoff, or any other Judge sitting in his stead, in Courtroom 744, Dirksen Federal Building, 219 S. Dearborn St., Chicago, IL, and will then and there present the MOTION TO DISMISS THE CHAPTER 7 BANKRUPTCY CASE.

/s/ Forrest L. Ingram
One of Debtor's attorneys

Forrest L. Ingram, P.C.
Forrest L. Ingram #3129032
79 W. Monroe St., Suite 900
Chicago, IL 60603
(312) 759-2838

CERTIFICATE OF SERVICE

I, Vik Chaudhry, an attorney, certify that I caused a true and correct copy of the above and foregoing Notice and the document, to which it refers, on all parties entitled to service, by electronic filing through ECF, or by regular U.S. mail, or fax, as set forth on the attached service list, at or before on December 8, 2009.

/s/Vik Chaudhry

SERVICE LIST

Via ECF & Facsimile

U.S. Trustee

William T Neary

Office of the U.S. Trustee, Region 11
219 S Dearborn St, Room 873
Chicago, IL 60604
(312) 886-5794

U.S. Trustee

Allan J DeMars

Spiegel & DeMars
100 W. Monroe, Ste 910
Chicago, IL 60603-1957

Bank of America

Robert D Nachman

Dykema Gossett PLLC
10 S. Wacker Dr.
Suite 2300
Chicago, IL 60606
312.627.2302 (fax)

Bank of America

Morgan M. Smith

Dykema Gossett PLLC
10 S. Wacker Dr.
Suite 2300
Chicago, IL 60606
312.876.1155 (fax)

Via U.S. Mail

U. S. Small Business Administration

500 W Madison St., #1250
Chicago, IL 60661
Attn: Mary Cvengros
(312) 886-5688

Cook County Treasurer

Law Department
118 N. Clark Street, Room 212
Chicago, IL 60602
(312)603.4147

Abreu, Zenaida
c/o Ebro Foods Inc.
1330 W. 43rd St.
Chicago, IL 60609-3308

Duffy, Dan
c/o Ebro Foods Inc
1330 W. 43rd St.
Chicago, IL 60609-3308

Metropolitan Water Reclamation District
c/o Barry A. Chatz – Arnstein & Lehr, LLP
120 S. Riverside Plaza, Suite 1200
Chicago, IL 60606-3910

Ebro Real Estate Holdings LLC
1330 W 43rd St
Chicago, IL 60609-3308

Internal Revenue Service
Centralized Insolvency Operations
PO Box 21126
Philadelphia, PA 19114-0326

Reyes, Victor
c/o Ebro Foods
1330 W. 43rd St
Chicago, IL 60609-3308

Vega, Mimi
c/o Ebro Foods
1330 W. 43rd St
Chicago, IL 60609-3308

US Bankruptcy Court
Eastern Division
219 S Dearborn
7th Floor
Chicago, IL 60604-1702

Metropolitan Water Reclamation Dist
Lockbox 98429
Chicago, IL 60693-0001

SomerCor 504, Inc.
601 S. LaSalle St., Ste. 510
Chicago, IL 60605-1725

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MOTION TO DISMISS THE CHAPTER 7 BANKRUPTCY CASE

Now comes the Debtor and Debtor in Possession, EBRO REAL ESTATE HOLDINGS, LLC (the “Debtor”), by and through its attorneys, Forrest L. Ingram, P.C., and moves this Honorable Court to Dismiss its Chapter 7 Bankruptcy Case. In support thereof, the Debtor states as follows:

1. Debtor filed its Chapter 11 bankruptcy case on March 24, 2009.
2. On November 18, 2009, this Court converted the Chapter 11 case to a Chapter 7.
3. At the hearing on November 18, 2009, Kathryn Gleason of the U.S. Trustee’s office indicated that the case would be converted to a Chapter 7, rather than dismissed, so that the assigned Chapter 7 Trustee could evaluate the merits of a potential adversary claim that the Debtor had against Bank of America.
4. After conversations with the Chapter 7 Trustee, Debtor’s counsel is convinced that the Chapter 7 Trustee does not believe that the potential adversary claim against Bank of America has any merit.

5. Thus, even if the Chapter 7 case were administered, no funds would be available for unsecured creditors, as the Debtor has no equity in its real estate and all available funds would go towards payments of administrative claims, secured creditors, and priority claimants.
6. Debtor requests shortened notice to present this Motion to Dismiss, since its 341(a) meeting is currently scheduled for December 21, 2009, and since it has very few creditors.
7. Debtor is serving a copy of this Motion to Dismiss upon all of its creditors.

WHEREFORE, the Debtor, Ebro Real Estate Holdings, LLC, respectfully requests that this Honorable Court dismiss its bankruptcy case on shortened notice. Debtor also asks for such other and further relief as this Court deems just and equitable.

Respectfully submitted,

Ebro Real Estate Holdings, LLC

By: /s/ Forrest L. Ingram
One of its attorneys

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